G. R. S. 58]

26-P

Previous references.

LB. 99-14.

1914.5

(Separate Revenue)

File No. 159-14

Serial Nos. 1 to 3

Later references.

S.R. 13-15, Ss. 19, 20, 21 &.

B. June 1916

S.R. 35-16 Ss. 2 & 3, B. May 1916.

S.R. 35—16 (13, 14, 15 & 17 & 18)

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1 to 3

Part B for June 1915.

SUBJECT.

Levy of railway cess on ~~xxx~~ items of excise revenue in the Kolar Dt.

No 1 From the Excise Comm^r in Mysore No. 4934 & 7/1/15. Enquires what steps are to be taken regarding the levy of the cess on the items of excise revenue, since separate levy of local cess was abolished some time ago.

no 2. To the Excise Comm^r in Mysore, Comptroller & Aud^r no. 7488-544 & 17/6/15.

Directs the levy of Railway cess on all items of Excise revenue on which local cess is at present levied, such revenue on which no local cess is levied being exempt from railway cess also.

3. To the Compiler, Mysore Gazette. No. 7545 & 18/6/15. Forwards a notification with above effect.

GPB—10,000—25-8-15

GENERAL AND REVENUE SECRETARIAT.

(LB. 899)

NOTES.

159-14
File No. 99/14.

FILE HEADING.

Levy of Railway Cess in the Kolar District

From

The Excise Commissioner in Mysore

No. 4934 Dated 7 January 15 Received 11 January 1915

Diary No. 6372	Enclos.	Spare Copies.	Serial No. 6

BRIEF ABSTRACT OF LETTER.

States with reference to this office memo No. 4960-3 dated 23-12-1914, that the separate levy of Local cess on the items of Excise revenue was abolished Some time ago and enquires what steps are to be taken by the Excise Department in the matter of levying Railway Cess in the Kolar District

LB 99-14-5

NOTES AND ORDERS.

The levy of local cess on toddy shop rental & tree tax, the duty on arrack, ganja, majum & beer has not been abolished but merged in the Excise Revenue of which 1/17 part is set apart for credit to Local Funds

Flag A & O

NOTES—First Sheet.

GPB—20,000—8-8-14

(2

4372

G. R. S. 12]

General and Revenue Secretariat.

SR 159 14

~~LB~~ File No. 99 of 1914-15

Serial No.

Nim 3741 d 9.11.14
LB 99-14-3
Flag U

~~No~~ To give effect to the order Sanctioning the levy of Railway cess at 6 pies in the rupee the rental the tax & the duty will have to be raised by $2\frac{16}{17}$ % and $\frac{1}{35}$ of the total revenue set apart for credit to Govt on account of railway cess. Incase it is considered inexpedient to raise the tax & duty Government will have to forego a portion of their revenue from Excise by Contributing the Railway cess themselves instead of levying it from the public May this be forwarded to the Excise Section for needful action?

Yes

KP 16.1.15 Br II

In favour of proposal
Br 19/1

Flag 1119 of 14-15

18/1

Mark

No

2) According to the terms of the notfn of the 5th Nov 1914, a railway cess of 6 pies in the rupee on all items of revenue on which local cess is now levied, to be recovered in the same manner as the local cess. ~~No increase since Nov 1907~~ there has been no separate levy of local cess in the Excise cases, ~~Dept~~ the adjustment being effected according to paragraph 50 of the Mysore Treasury Manual. This procedure was adopted to effect

W

NOTE—Contn. sheet.

GPB—25,000—2.11.14

G. R. S. 12]

General and Revenue Secretariat.

~~S.R.~~ SR 159

~~S.R.~~ File No. 49 of 1914.

Serial No.

simplification of excise accounts, both in the demand on the licensees, and the collection work as well.

5) If the railway cess is to be collected separately, there ~~would~~ would be a reversion to the old method and it will be not be said to be recovered in the same manner as local cess. Moreover the licenses for all the excise privileges runs to the end of June 1915; and as such it may not be possible to recover this additional cess from the licensees for the current year in the absence of a condition in the sale notifn for the year. This may be possible from the 1st July 1915 if such a condition is inserted in the sale notifns which issue hereafter.

4) If, on the other hand, the procedure now adopted for the adjustment of local cess is to be enforced, there would be some deduction from the State excise revenue of the Kolar Dt in favour of railway cess. If the notfn of Novr 1914 is to be strictly adhered to with regard to 1914-15, the latter appears to be the practical method.

Ms. 73 Work 29/1/15.

5) It has been more than once pointed out that the local cess on

NOTE—Contn. sheet.

GPB—25,000—2-11-14

G. R. S. 12]

General and Revenue Secretariat.

GR 159

File No. 85 of 1914.

Serial No.

let any rate the portion on Shop rent

Excise Revenue, is not a local cess at all but only a portion of the General Revenues. A cess is a levy in addition to what Govt may demand for the purposes of the provincial fort. If the demand of the provincial fort is a fixed amount. Then the cess levied will be a real addition. But if as in the case of Excise Shop rent, the demand of the provincial fort is an indeterminate quantity and represents only what it can induce the Contractors to pay. there can be no additional levy to it and whether as formerly the local cess was collected Separately or as is now done, merged in the rent itself, it is a part of the Provincial Revenues and not a 'cess' at all.

b) Under these circumstances there is not any meaning in levying an additional cess on Excise Shop rent - If considered necessary it may be limited to 'free tax' and such fixed amounts. As pointed out above it is also Doubtful if during the currency

NOTE—Contn. sheet.

GPB--25,000—2-11-14

(5)

1119 4372

G. R. S. 12]

IMPORTANT.

General and Revenue Secretariat.

~~L B~~ File No. 882 159 of 1914.

Serial No.	
	of the Current Contracts an addl. levy may be imposed: I do not think that there is any legal objection to levy such 'Cesses' as the case of the payers of these amounts would be quite analogous to that of ~~land revenue payers~~ payers of land revenue ~~those~~ which has been promised ~~to be~~ not enhanced during the currency of the Settlement. ~~but all the same cesses are levied~~
	2) If Govt do not think it expedient to limit the addl cess to Land Rev alone & Exempt Excise, it may be levied only on the Tree Tax & similar ~~at~~ fixed amounts as a Separate levy. It is one of the question to ask Govt to bear this Charge as it will not then be an Extra cess at all
	Submitted
	For IV) 3) Submitted with the opinion of For III KP 16.2.15. 4) Put up the file relating to the ~~B's~~ amendment of the L.B. Regn
	5) Legis 35 of 1911 is put up & Cuttings to this
	KP 18/2/15

NOTE—Contn. sheet.

GPB—25,000—2-11-14

R. S. 12]

IMPORTANT.

SR 157.

General and Revenue Secretariat.

~~L/5~~ File No. 99 of 1914-15

Serial No.

Sub^{d} for orders.

11) Mr. Reg^{r} says that the Reg Cess will be levied on all items of revenue on which local Cess will be levied.

12) It is now contended that without reason that the so called Cess on Excise revenue from Shop rent is not a ~~Cess~~ distinct Cess, but a portion carved out of the revenue itself; and it is asked if $\frac{3}{32}$nd of that revenue is to be carved out of it instead of $\frac{2}{32}$nd as hitherto, or whether $\frac{1}{32}$nd more is to be levied from the Contractors even during the currency of the existing leases.

13) Sub^{d} for orders. In the case of future leases, the rental will proportionately decrease if the levy is made a separate one & Govt will eventually be the loser. 19/2 D'Rec^{d}

14) The file may be sent unofficially to the Excise Comm^{r} for favour of perusal with reference to the arguments contained in the office note ~~above~~ above. Increase of railway facilities indirectly improves the Excise revenue also and I am not quite sure whether further addition of the

NOTE—Contn. sheet.

GPB—25,000—2-11-14

4372

R. S. 12]

General and Revenue Secretariat.

SR 159

~~LB~~ File No. ~~99~~ of 1914.-15

Serial No.

railway cess will in the long run affect the Excise revenue. In which it is proposed to levy cent % similar fund payments will not help the Board very much the main cause this would ultimately lessen the free % ease % the main objections to the St Board being allowed to benefit at the expense % Govt in respect % an item % taxation known the improvement % which it contributes nothing.

15) The office should elicit information as to how this difficulty has been met over in the Madras Presidency when a railway cess is levied by some St Board.

16) If it is considered necessary to impose it on all items % excise revenue I think it desirable to levy it separately quite distinct from the local cess so that the burden may be shifted to the consumers.

28/4/15

PTO.

No cess is levied on Excise Revenue in Madras. In the A tax of 3 pies in the rupee is levied only on the rental value of all occupied lands to be used for the construction of tramways & railroads. Sec 57(ii) of the Madras LB Act. No cess is levied on Excise revenues in Madras.

KL 29/4

NOTE—Contn. sheet.

GPB—25,000—2-11-14

4372

G. R. S. 12]

General and Revenue Secretariat.

8R 159
LB File No. 99 of 1914-15

D No. 1538 25.2.15

Serial No.

17) Forwarded to the Excise Commissioner in Mysore for favor of opinion

By order

25/2/15 For offg Secretary to Govt
Genl & Revenue Depts.

18) Rec Campasikere 25.2.1915
26.2.15 Rec.

As matters stand at present there is no separate levy of local cess as such on any item of Excise Revenue, being merged in the Provincial Excise demands of every year. But for the benefit of "Local Funds" a sum equivalent to one-seventeenth ($\frac{1}{17}$th) of the Provincial Excise collection is every year debited to Excise and credited to "Local Funds". Since there is no separate levy of any form of local cess on any item of Excise Revenue at present, it is not clear on what items of Excise Revenue the proposed Railway cess of half-anna in the Rupee is meant to be levied in Kolar District. This, it seems to me, is the first point for consideration. The duty on Arrack was raised with effect from 1.7.1914 and the idea of still further enhancing it is entertained. The duty on Ganja is proposed to be enhanced with effect from 1.7.1915, at the instance of the Residency, to bring it up to the same level as that which will prevail in the C&M Station with effect from 1.4.1915. Tree Tax is also proposed to be enhanced with effect from 1.7.15. Whether in view of all these proposed enhancements, it is expedient or desirable to levy a further special cess even on Railway purposes on items of Excise Revenue is the point which next comes up for consideration. The Gold Fields Area is situate within Kolar District, and it is a matter of notoriety that the margin of profit are tenuous in this locality, standing reduced to a negligible minimum, which circumstance has afforded ground also for some forcible criticism. In the light of these, I cannot say that I am in favour of the levy of the proposed cess, which in any case cannot be done before 1.7.15 for it seems to me that it would be a breach of faith to do so notwithstanding the

NOTE—Contn. sheet.

GPB—25,000—2-11-14

Rec
28.2.15

GRS 12.
General & Revenue Secretariat.

G.O. No 153 of 25-2-15 Serial No. X

Reply to (Centre).

SR 159-14
L.B. File No 99 of 1914-15

the provision made in the terms of the Sale Notification to meet such contingencies. By this I do not wish it to be understood that I am not in favour of facilities being afforded for the construction of Railways. This is far the first from my views in this matter for nothing could be more welcome to me than the prospect of Kingston being covered by a net-work of rail ways. To meet the situation therefore I would propose a compromise for the consideration of Govt. It is this. The average Excise collection in Kolar District per year during the four years Ending 30. 6. 1913 has been Rs 8,93,407/- of this a Sum Equal to one seventeenth of it, i.e. Rs 52,553/- has already been credited to Local Funds. Now a levy of a Special cess of half anna in the Rupee on all items of Excise Revenue would amount to Rs 27,919/-, taking the average given above as the basis of calculation. In addition to the one-seventeenth that is already being credited to Local Funds Every year, a further Sum being the Equivalent of the proposed Special Cess may be debited to the Kolar District and credited both in Local Funds. In other words, the funds required are, it seems to me best made available from the present Excise Collection of the Kolar District & not by the levy of a new cess as proposed. This will mean a slight loss to the General Revenues, but it cannot be grudged, in view of what the district

Rad 28.2.15

GR 159-14

GRS 12
General + Revenue
Secretarial.

~~I.B.~~ File No 99 of 1914-15

U.O. No 153 of 25.2.15 Serial No

Reply to (centd)...

reduction in the general

But if this idea of further revenues is not acceptable Govt. for any reason, the proposed special cess may be levied with effect from 1.9.15. But the contingency of a drop in the Shop rentals of the Kolar District during the next sales will have to be faced. If this meets with approval, the Special cess will be included in the departmental demand as an additional item and collected. But the necessary book adjustment will have to be made by the Comptroller, since any other arrangement is likely to lead to endless correspondence and complications in accounts.

P. Raghavendra Rao
EC

Amptharikere. 28.2.15.

M 3.3.15

PTO

(11

G. R. S. 12]

General and Revenue Secretariat.

SR 159
LB File No. 99 of 191 H.-15

Serial No.

(19)

The proposal of the Excise Commissioners is undoubtedly favourable to the Local Boards and if the same principle is adopted in other districts nearly every Local Board will be in a strong position for guaranteeing interest on loans for railways. But it is desirable to cause local capital to also rest on other Local Boards to create greater responsibility in providing railway communications which do not form part of any great trunk system. I think we may approve of the proposal of the Excise Commissioners to appropriate towards the railway cess only the amount now credited towards local cess out of the Excise revenue for a period of 5 years after which they should be at liberty to revise the arrangement. It may also be made clear that strictly speaking the Local Boards can have no claim to levy any cess on Excise. The Excise

NOTE—Contn. sheet.

GPB—25,000—2-11-14

4372 (12

G. R. S. 12]

General and Revenue Secretariat.

SR 157
LB File No. 99 of 1914.-15.

Serial No.

has to be considered in Council

B
14/3/15 Asst

2nd Chamber

Dewan 20 Yr. It is an important question deserving careful consideration. The papers may be marked first & then brought up at a meeting of the Council

Secy
5/3 Asst 6/3

6/3/15 Asst 6/3.

5896
9-3-15

21 Yrs
24-3-15 KB

CS in Asst 31/3

31/3 Asst 31/3

22

I should like to see G.O. 9243-54 d. 15-6-1907 directing that the separate levy of the tree tax shd be ~~levied~~ abolished.

3/4/15

44(5 Asst 6/4

23. Copy of G.O No 9243-54-J.J.R-145-06-1-of 15-6-07 is subd

7/4/15 [illegible]

7/4.

NOTE—Contn. sheet.

GPB—95,000—2-11-14

R. S. 12]

General and Revenue Secretariat.

SR 157
DB File No. 99 of 1914-15

Serial No.

24 of Govt had ordered that the local cess on these items shd be abolished, railway cess would not be due at all. But the order was that 1/17 of certain items shd be credited to local cess. The Dist Bd is entitled to a railway cess on the items of tree tax, shop rental & tree-rent. If Govt gives 1/1784 of the excise revenue on this account out of shop rent, it would be making a present out of its revenue. In the next sale, if the Cond^n is previously mentioned, it is likely the bids will be higher (lower). But to prove that it is a legitimate additional demand, I think it better that it shd be separately levied for the current leases.

11/4/15

1/11/15

NOTE—Contn. sheet.

GPB—25,000—2-11-14

GPB—1,000—19-7-13

(14

SR 159-14

Extract from the Proceedings of the 350th Meeting of the Council of His Highness the Maharaja, held at Bangalore on the 28th April 1915.

9. Subject.-(Clause viii of the Schedule).

Question whether a Railway Cess may be levied on the items of Excise Revenue, in the Kolar District.

OPINION OF THE COUNCIL.

Railway Cess may be levied separately from 1st July 1915 on all items of Excise Revenue on which local cess is at present levied, shop rental on which no local cess is levied being excepted.

(Vide - G.O. No.Fl.9243-54/S.R.145-06-1, dated 15th June 1907).

Sd/- M. Visvesvaraya.
Dewan of Mysore.

"Extract"

D. M. Narasimha Rao 29/4
Offg. Secretary to Government.

4372
88 154

[G. R. S. 12]

General and Revenue Secretariat.

~~L.D.S~~ File No. 99 of 1914.

Serial No.	
	25 Extract from the Proceedings of the Council is put up.
	26 Forwarded with compliments to the Deputy Secretary, for necessary further action.
	27 Draft sub^n note is put-up
	28 [illegible]
	29 Fair note signed by the 2nd member is put up
	30 with D.S.N

NOTE—Contn. sheet.

GPB—25,000—22-3-15

SR 159-14 (16)

Final Note by the Second Member of Council Collector.

Subject:—

30 Question whether a railway cess may be levied on the items of Excise Revenue, in the Kolar District.

U 31 In Government Order No.3738-40-L.B.99-14-2 and Notification No.3741/L.B.99-14-3 dated the 9th November 1914, the levy of a Railway cess in the Kolar District, at the rate of 6 pies in the rupee on all items of revenue on which local cess is now levied was sanctioned with effect from 1st July 1914.

32 2. As local cess on items of excise revenue is not separately collected, but is adjusted by carrying over one-seventeenth of the Excise collections to the credit of the local cess in the accounts, some difficulty has been experienced in levying the new Railway cess so far as the excise revenue is concerned.

pages 8—10 of office Note.

33 3. The Excise Commissioner who was consulted is of opinion that, as the object of the cess is to promote extension of Railways, he is prepared to allow

SR. 159-14 (7)

allow a further deduction from the Excise revenue of half the amount now credited to Local Funds on this account, but if Government desire to levy an additional cess he has no objection to the proposed special cess being levied with effect from 1st July 1915, though it would probably lead to a drop in the shop rental. He also suggests that the special cess should be included in the departmental demand as an additional item and collected, the necessary book adjustment being made by the Comptroller.

34. The question was considered in Council, who are of opinion that the Railway cess may be levied separately from the 1st July 1915 on all items of excise revenue, except shop-rental which is now exempt from Local cess.

35. The resolution of the Council may be submitted to His Highness for approval.

6th May 1915

SR. 159-44

(18

Submitted to His Highness.

36 I submit herewith a "Final Note" by the Second Member regarding the manner of levying the railway cess recently sanctioned in the Kolar District on items of Excise revenue.

37 2. For the reasons given in the Second Member's note, the resolution of the Council to levy it separately on all items of excise revenue except shop-rental which is now exempt from local cess from the 1st July 1915 may be approved.

spl

M. Visvesvaraya
10th May 1915.

SR. 159-14. 1372 (9

Record of Cases submitted for the Orders of His Highness the Maharaja

Subject.

38 Question whether a Railway cess may be levied on the items of Excise revenue in the Kolar District.

1189

Order.

39. ~~KRW~~
31/5/15

40 Sanctn

1.6.15 do

46

46

41 Dft

2 6 15

SR 159-64.

Immediate

USP (20

2103

G. R. S. 12]

General and Revenue Secretariat.

File No. 99 of 1914.

Serial No.	
	42 Subs with Drafts.
	Encl 4/6.
	(Bn Secy) Hm 5/6.
	43. Please send (Br II) for issue
	5/6 Hm 5/6.
This 2 Po 3 914-15	(Br II)
	44 Subs for orders.
	(Br II. Secy) 45 Has order of rectification been
1981	5/6 issued from this Branch?
	Re. 14.6.16
1952 Please let us have the account for Rs. 5/6	46 Not meant for me apparently. M 15/6
	47. Issued Rem SR. Secy to Dy Re. 17.6.16
2.	To the Excise Comnr, Comptroller & Presidg of D.C. Boards & Other HQs of Dists. No 7488-544 & 17/6/15. Orders that Railway cess will be levied separately from 1st July 1915 on all items of excise revenue on which local cess is at present charged.
3.	No: No: 7545 & 18/6/1915. To the Compiler Mysore Gazette. Forwards a Notfn of the above effect for publication.

NOTE—Contn. sheet.

GPB—25,000—22-3-15

D 4372 LB 99-14
SC6.

No: 4934 VP

IMPORTANT.

OFFICE OF THE EXCISE COMMISSIONER IN MYSORE.

Bangalore, dated.....7th January.....*19*15.

94

SC 159-14

From

P. Raghavendra Rao, Esq., B.A., B.L.,
Excise Commissioner in Mysore.

To

D.M. Narasinga Rao, Esq., B.A., B.L.,
Offg: *Secretary to the Government of*
His Highness the Maharaja of Mysore,
General and Revenue Departments.

Sir,

Adverting to your Official Memorandum No. 4960-3/L.B.99-14, dated 23-12-1914, inviting attention to Government Order No. 3741/ L.B.99-14-3, dated 10-11-1914, anent the levy of Railway cess in the Kolar District with effect from 1st July 1914, and requesting me to take the necessary steps for its levy on such items of revenue as pertain to this Department on which local cess is now levied, I have the honor to invite your kind reference to para 50 of the Mysore Treasury Manual wherein the manner of adjustment of local cess on items of revenue pertaining to this Department is clearly defined. Separate levy of local cess on these items was abolished under the terms of the Government Orders therein cited.

2. I would, therefore, request you to kindly enlighten me as to what steps, if any, are meant to be taken by this Department in the matter under the circumstances above detailed.

I have the honor to be,
Sir,
Your most obedient servant,

P. Raghavendra Rao
8.1.15.
Excise Commissioner.

MAS.

FROM

Excise Commissioner in Mysore.

To

Secretary to the Government of
H. H. the Maharaja of Mysore,
Gen. and Rev. Depts.

Dated

Despatched

Received

General No.

Enclosure No.

SUBJECT.

GPB—1,350—25-11-12

Levy of Railway Cess in the Kolar Distt

On all items of Excise Revenue on which local cess is levied except Shop rental—

G.R.S. 28]

SR 159-14

File No. 9

Serial No. 2.

Diary No. of letter replied to 4372

Proceedings of the Government of His Highness the Maharaja of Mysore

GENERAL AND REVENUE SECRETARIAT.

( )

, *the* 191 .

READ—

Memorandum No. 4960-3 Fb. 99-14-5 dt 23.12.14 inviting the attention of Heads of Depts to Govt Not. No. 3741/Fb 99-14-3

Date of issue 17-6-15

Signed by Mr Shamanna

ORDER THEREON—No.

dt 10.11.14 Re levy of Railway Cess in the Kolar Distt with effect from 1.7.14 on all items of revenue on which local Cess is levied for necessary action

over.

SUBJECT.

2. Letter No 49348 & 7.1.15 from the
Excise Commr stating that the
separate levy of Local Cess on
the items of Excise revenue was
abolished as per G.O. No 7L9243-54
S.R 145-06-1
& 15.1.1907 & enquiring what
Steps should be taken by the
Excise Deptt in the matter of
levying Railway Cess on the
Ukar distt.

order No 7488-544 & 17 June/15
Railway cess ~~would~~ will be levied
separately from 1st July 1915
on all items of Excise Revenue
on which local cess is at
present levied; ~~except~~ Supplemental
~~Duty~~ which no local cess is at present
~~levied being excepted~~ charged with
Continues to be exempt from
the Ry Cess also

~~Secy~~ for Secretary to Govt
S/o

The Excise ~~Comptroller~~ Commissioner,
The Comptroller.
The President D.B. Ukar
The Presidents of other Distt Bds &
The other Heads of Depts

Tr 67/ translated 21/6.

G.R.S. 26]

SUBJECT Levy of Railway Cess on all items of Excise Revenue except on Local ~~Rental~~ Shop Rental from 1-7-15

REVENUE.

No. Fl. 7545—*S. R.* 159-14-3, *dated* 18*th June* 1915.

It is hereby notified for general information that railway cess will be levied ~~separately~~ in the Kolar District, with effect from 1st July 1915, on all items of Excise revenue ~~on which~~ local cess is at present levied.

Shop-rental on which no local cess is at present levied will be exempt from this cess.

By Order,
D. M. NARASINGA RAO,
Officiating Secretary to Government,
General and Revenue Departments.

9/14

16

Date of issue 18-6-15

Signed by D M Narasinga Rao

Excepting shop rental.

Shop rental on which no local cess is at present levied will be exempt

It is hereby notified for general information that Railway Cess will be ~~separately~~ levied in the Kolar Distt with effect from 1.7.15 on all items of Excise Revenue on which local Cess is at present levied.

Shop rental will be exempted from this Cess as no local cess is at present levied

over.

21/6

Thereon ——— from this ex

b

By order

b

for offg Secretary

6.6.15

To the Compiler Mysore Gazette

for publication with a

request that 200 spare

Copies of the Notification may

be supplied to each of the

following offices; —

~~1. The Local Boards Branch of the G.A.D~~

1. The Excise Commissioner

2. The D.C. Kolar & a hundred

Copies to the Local Boards Branch of the G.A.D

List of enclosures.

Draft

5/6

Copied by

Examined by

GPB—20,000—14-2-14